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5 CAROLINE L. CONNOR, M.D.,
6 Plaintiff,

7 v.
8 UNUM LIFE INSURANCE COMPANY
9 OF AMERICA,
10 Defendant.

Case No. 19-cv-06552-YGR (TSH)

DISCOVERY ORDER

Re: Dkt. No. 31

11 The parties have a dispute about the application of the attorney-client privilege. ECF No.
12 31. Federal Rule of Civil Procedure 26(b)(5)(A) states:

13 When a party withholds information otherwise discoverable by
14 claiming that the information is privileged or subject to protection as
trial-preparation material, the party must:

15 (i) expressly make the claim; and

16 (ii) describe the nature of the documents, communications, or tangible
17 things not produced or disclosed—and do so in a manner that, without
revealing information itself privileged or protected, will enable other
18 parties to assess the claim.

19 With respect to the documents at issue in this dispute, Unum's privilege log fails the
20 requirements in subsection (ii). It does not identify the type of communications the documents
21 were, the authors or recipients, their employers or affiliation, whether they were attorneys, or the
22 dates of the communications. Without this information, it is impossible to evaluate Unum's claim
23 of privilege. The Court orders Unum to fix these entries on its privilege log and file an amended
24 log by May 15, 2020.

25 **IT IS SO ORDERED.**

26 Dated: May 12, 2020

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THOMAS S. HIXSON
United States Magistrate Judge